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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/416, 192 10/11/99 STARK

J 00418

EXAMINER

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QM12/0719

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ART UNIT

PAPER NUMBER

3764

DATE MAILED:

07/19/01

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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Office Copy

Office Action Summary	Application No. 09/416,192	Applicant(s) Stark
	Examiner Glenn Richman	Art Unit 3764
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --		
Period for Reply		
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.		
<ul style="list-style-type: none">- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).		
Status		
1) <input checked="" type="checkbox"/> Responsive to communication(s) filed on <u>Jul 2, 2001, 5-1-01</u> .		
2a) <input type="checkbox"/>	This action is FINAL.	2b) <input checked="" type="checkbox"/> This action is non-final.
3) <input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11; 453 O.G. 213.		
Disposition of Claims		
4) <input checked="" type="checkbox"/> Claim(s) <u>11-17 and 25-37 1-37</u> is/are pending in the application.		
4a) Of the above, claim(s) <u>1-16, 18-24</u> is/are withdrawn from consideration.		
5) <input type="checkbox"/>	Claim(s) _____	is/are allowed.
6) <input checked="" type="checkbox"/> Claim(s) <u>11-17 and 25-37</u>	is/are rejected.	
7) <input type="checkbox"/> Claim(s) _____	is/are objected to.	
8) <input type="checkbox"/> Claims _____	are subject to restriction and/or election requirement.	
Application Papers		
9) <input type="checkbox"/> The specification is objected to by the Examiner.		
10) <input type="checkbox"/> The drawing(s) filed on _____ is/are objected to by the Examiner.		
11) <input type="checkbox"/> The proposed drawing correction filed on _____ is: a) <input type="checkbox"/> approved b) <input type="checkbox"/> disapproved.		
12) <input type="checkbox"/> The oath or declaration is objected to by the Examiner.		
Priority under 35 U.S.C. § 119		
13) <input type="checkbox"/> Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).		
a) <input type="checkbox"/> All b) <input type="checkbox"/> Some* c) <input type="checkbox"/> None of: 1. <input type="checkbox"/> Certified copies of the priority documents have been received. 2. <input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____. 3. <input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).		
*See the attached detailed Office action for a list of the certified copies not received.		
14) <input type="checkbox"/> Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).		
Attachment(s)		
15) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____		
16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)		
17) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). <u>2,3</u> 20) <input type="checkbox"/> Other: _____		

Art Unit: 3764

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 11-17,25-37 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Rivonellie et al.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Iliff discloses a computerized medical diagnostic and treatment advice system including network access.

Nashner discloses a method for monitoring training programs.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenn Richman whose telephone number is (703) 308-3170. The examiner can normally be reached Tuesday through Thursday from 7:30 AM to 6:00 PM Eastern time. The facsimile number for Art Unit 3764 is (703) 308-0758. The facsimile number for submitting formal papers to Technology Center 3700 is (703) 305-3590.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 3700 receptionist whose telephone number is (703) 308-0858 or to Customer Service at (703) 306-6789.

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July 12, 2001



Glenn Richman
Primary Examiner
AU 3764